

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Pursuant to the authority of Iowa Code section 237A.12, the Department of Human Services hereby amends Chapter 109, "Child Care Centers," Chapter 110, "Child Development Homes," and Chapter 120, "Child Care Homes," Iowa Administrative Code.

The following amendments are federally mandated as a result of the Child Care and Development Block Grant (CCDBG) reauthorization. The amendments:

- Require child care centers, child development homes and child care homes to have written emergency plans for response to food or allergic reactions;
- Include the preservice/orientation training component of child development; and
- Clarify the intent of essential child care training requirements for substitutes.

In addition, these amendments provide technical updates to rules for child care regarding first-aid/CPR requirements.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 2998C** on March 29, 2017. The Department received no comments during the public comment period. These amendments are identical to those published under Notice of Intended Action.

The Council on Human Services adopted these amendments on May 10, 2017.

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 237A.12.

These amendments will become effective August 1, 2017.

The following amendments are adopted.

ITEM 1. Adopt the following **new** subparagraph **109.7(1)"e"(10)**:

(10) Child development, on or after August 1, 2017.

ITEM 2. Adopt the following **new** paragraph **109.9(2)"g"**:

g. For any child with allergies, a written emergency plan is available in case of an allergic reaction.

A copy of this information shall accompany the child if the child leaves the premises.

ITEM 3. Adopt the following **new** paragraph **109.10(3)"d"**:

d. A child care staff member shall not provide medications to a child if the staff member has not completed preservice/orientation training that includes medication administration.

ITEM 4. Amend paragraph **110.9(3)"e"** as follows:

e. Certification or other documentation that minimum health and safety training has been completed in compliance with paragraph 110.10(1)~~"a."~~ "a" within three months of a substitute's hiring or before a substitute provides care, whichever occurs first.

ITEM 5. Amend subrule 110.9(4) as follows:

110.9(4) Children's files. An individual file for each child shall be maintained and updated annually or when the provider becomes aware of changes. The file shall contain:

a. to g. No change.

h. For any child with allergies, a written emergency plan in case of an allergic reaction. A copy of this information shall accompany the child if the child leaves the premises.

~~h. i.~~ i. A list that is signed by the parent and names persons authorized to pick up the child. The authorization shall include the name, telephone number, and relationship of the authorized person to the child.

~~i. j.~~ j. Written permission from the parent for the child to attend activities away from the child development home. The permission shall include:

(1) Times of departure and arrival.

- (2) Destination.
- (3) ~~Persons~~ Names of persons who will be responsible for the child.
- ~~j. k.~~ Injury report forms documenting injuries requiring first aid or medical care.
- ~~k. l.~~ If the child meets the definition of homelessness as defined by Section 725(2) of the McKinney-Vento Homeless Education Assistance Act, the family shall receive a 60-day grace period to obtain medical documentation.

ITEM 6. Adopt the following new subparagraph **110.10(1)“a”(10)**:

- (10) Child development, on or after August 1, 2017.

ITEM 7. Amend subparagraph **110.10(1)“c”(2)** as follows:

- (2) ~~First-aid~~ CPR training shall include certification in infant and child ~~first-aid~~ CPR.

ITEM 8. Amend subrule 120.9(2) as follows:

120.9(2) The file shall contain:

- a. to g. No change.
- h. For any child with allergies, a written emergency plan in case of an allergic reaction. A copy of this information shall accompany the child if the child leaves the premises.
- ~~h. i.~~ Written permission from the parent for the child to attend activities away from the child care home. The permission shall include:
 - (1) Times of departure and arrival.
 - (2) Destination.
 - (3) Names of persons who will be responsible for the child.
- ~~i. j.~~ If the child meets the definition of homelessness as defined by Section 725(2) of the McKinney Vento Homeless Education Assistance Act, the family shall receive a 60-day grace period to obtain medical documentation.

ITEM 9. Adopt the following new paragraph **120.10(1)“j”**:

- j. Child development, on or after August 1, 2017.

ITEM 10. Amend paragraph **120.10(3)“b”** as follows:

- b. ~~First-aid~~ CPR training shall include certification in infant and child ~~first-aid~~ CPR.

ITEM 11. Adopt the following new subrule 120.10(5):

120.10(5) Approved substitutes must have certification or other documentation that minimum health and safety training has been completed in compliance with 441—subrule 110.10(1) within three months of a substitute’s hiring or before a substitute provides care, whichever occurs first.

[Filed 5/10/17, effective 8/1/17]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 6/7/17.